

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	Before the Examiner:
Kevin T. Foley et al.	)	Michael B. Priddy
	)	
Continuation Application of	)	Group Art Unit 3732
Serial No. 09/928,949 (filed 08/13/01)	)	
	)	
Filed: January 13, 2004	)	Ref. No.: PC444.06/
	)	4002-3443
	)	
SURGICAL INSTRUMENTATION	)	
AND METHOD FOR THE	)	
TREATMENT OF THE SPINE	)	

**INFORMATION DISCLOSURE STATEMENT**

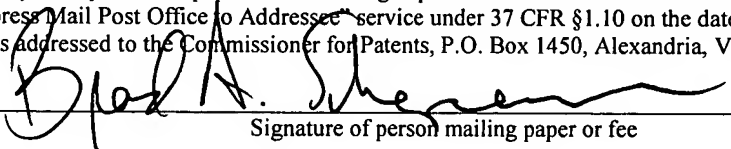
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. § 1.56, Applicants wish to bring to the attention of the Examiner the items of information listed on the enclosed Information Disclosure Citation form. Copies of the U.S. patents and/or U.S. patent application publications listed in this IDS form are not being provided herewith since the requirements for submitting such documents under 37 CFR 1.98 (a)(2)(i) have been waived with regard to applications filed or nationalized subsequent to June 30, 2003.

**Mail Label No. EV394105615US Date of Deposit: January 13, 2004**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
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The filing of this Information Disclosure Statement (IDS) shall not be construed as an admission that the information cited is or is considered to be prior art or material to patentability as defined in § 1.56(b).

This Statement is being submitted under 37 CFR 1.97(b) before the occurrence of one or more of the following: (a) receipt of a First Office Action on the merits, (b) passage of three (3) months from the application filing date, or passage of three (3) months from the date entry of the national stage. Accordingly, it is believed that no fee is due. However, should any fee be required, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By: 

Brad A. Schepers  
Reg. No. 45,431  
Woodard, Emhardt, Moriarty,  
McNett & Henry LLP  
Bank one Center/Tower  
111 Monument Circle, Suite 3700  
Indianapolis, IN 46204-5137  
(317) 634-3456

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Page 1 of 2				Atty. Docket No. 4002-3443		Serial No. New	
				Applicant Kevin T. Foley et al.			
				Filing Date January 13, 2004		Group Unknown	

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							Yes	No

Examiner	Date Considered
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\*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE CITATION**  
 (Use several sheets if necessary)

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Atty. Docket No.

4002-3443

Serial No.

New

Applicant

Kevin T. Foley et al.

Filing Date

January 13, 2004

Group

Unknown

**U.S. PATENT DOCUMENTS**

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**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							Yes	No

Examiner

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